APPENDIX.

Sec. 407 of Illinois Insurance Code (Ill. Revised Stats. (1943) Ch. 73, Par. 1019).

(COURT REVIEW OF ORDERS AND DECISIONS.) (1) Any order or decision made, issued or executed by the Director, except an order to make good an impairment of capital or surplus or a deficiency in the amount of admitted assets, whereby any company or person is aggrieved, shall be subject to review by the Circuit Court of Sangamon County or the Circuit or Superior Court of the county in which the principal office in this State of the company aggrieved by such order or decision is located, or where the person so aggrieved resides. A petition for the review of the action of the Director shall be filed within thirty days from the date of the service of a copy of the order or decision made by the Director upon such company or person. A copy of such petition for review as filed with and certified to by the Clerk of such Court shall be served upon the Director or in his absence upon some one in active charge of the Department of Insurance within five days after the filing thereof. If such petition for review is not filed within the said thirty days the parties aggrieved shall be deemed to have waived the right to have the merits of the order or decision reviewed and there shall be no trial of the merits thereof by any court to which application may be made by petition or otherwise, to enforce or restrain the enforcement of the same.

(2) The Director shall within ten days, unless the time be extended by order of court, after the service of the copy of the petition for review upon him or his office, prepare

and file with the clerk of the court in which the petition for review was filed, a complete transcript of the record of the hearing, if any, had before him, and a true copy of the order or decision and certify thereto. The order or decision of the Director shall be deemed prima facie to be correct and proper. The cause shall be heard by the said court as a civil case upon such transcript of the record and such additional evidence as may be offered at the hearing of said cause before the court by any of the parties. It shall be the duty of the court to hear and determine such petition with all convenient speed. If on the hearing before the court it shall appear that the record filed by the Director is incomplete, the court may by appropriate order direct the Director to certify any or all parts of the record so omitted.

(3) The court shall have jurisdiction to affirm or to set aside the order or decision of the Director and to restrain the enforcement thereof.

(4) Appeals from all final orders and judgments entered by the Circuit or Superior Courts in reviewing the orders and decisions of the Director may be taken to the Appellate and Supreme Courts of Illinois by any party to the action as in other civil cases.

(5) The commencement of proceedings under this section shall not operate as a stay of the Director's order or decision, unless so ordered by the court.